

IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

DWAYNE E. BANKS, # 07068402,

Plaintiff,

v.

DALLAS COUNTY SHERIFF
DEPARTMENT,

Defendant.

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No. 3:08-CV-0897-L

ORDER

Before the court are the Findings, Conclusions and Recommendations of the United States Magistrate Judge, filed July 14, 2008. On June 28, 2008, the court issued a Notice of Deficiency and Order to Plaintiff informing him that he had not paid the requisite filing fee, submitted a request to proceed *in forma pauperis*, or filed his complaint in the appropriate form. The court allowed Plaintiff thirty days to correct these deficiencies. The magistrate judge recommends dismissing Plaintiff's complaint without prejudice pursuant to Rule 41(b) of the Federal Rules of Civil Procedure because of his failure to comply with the court's notice and pay the filing fee or submit a request to proceed *in forma pauperis* and his failure to file a complaint in the appropriate form.

Having reviewed the pleadings, file, and record in this case, and the findings and conclusions of the magistrate judge, the court determines that the findings and conclusions are correct. The magistrate judge's findings and conclusions are therefore **accepted** as those of the court. The court therefore **dismisses without prejudice** Plaintiff's complaint pursuant to Rule 41(b) for failure to comply with the court's order.

It is so ordered this 30th day of July, 2008.


Sam A. Lindsay
United States District Judge